

## BEFORE THE CITY OF JUNCTION CITY PLANNING COMMISSION

**IN THE MATTER** of the Development Review application submitted by O'Reilly Automotive Parts, Inc. for constructing a new commercial auto parts store on a 1.13 acre site described as Assessor's Map: 15-04-32-33 Tax Lots 00800, 00900, 00600 and 01000 ] **FINDINGS OF FACT**

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### I. INTRODUCTION & PROCEDURAL FINDINGS

This matter came before the City of Junction City Planning Commission for public hearing on July 22, 2013 at Junction City City Hall, Junction City, Oregon.

The purpose of the hearing was to receive testimony and other evidence related to the subject matter and to render a decision in response to the application.

The applicant, O'Reilly Automotive Parts, appeared before the Planning Commission on this matter. Any testimony at the hearing is part of the record in this matter.

Written notice with application materials were sent to the Junction City, City Administrator, the Junction City Public Works Director, the Junction City Police Department, the Junction City Rural Fire District, the Junction City Building Official, Lane County Transportation, ODOT, Pacific Power & Light, Northwest Natural Gas, and Lane Transit District.

Notice was sent to property owners within 300 ft. of the subject property and was published in the local newspaper. Any written statements submitted to the Planning Commission were also considered as part of the record.

The written staff report, together with the various exhibits presented to the Planning Commission by the Junction City City Planner, are a part of the record in this matter. The staff report and its accompanying attachments describe the nature of the application, the applicable criteria to be applied to the request, and numerous factual findings.

### II. GENERAL FINDINGS OF FACT

1. The applicant is proposing to construct a new 6,871 square foot retail store, to be used for selling automotive parts. The building is proposed to be located along Ivy Street on the east side of the existing alley, with access for vehicles and delivery trucks to be from the alley located between Ivy and Juniper Street. Parking for the store is proposed to be located on the north, south and west sides of the building, as well as on Tax Lot 1000, which is located

on the west side of the alley. A loading and unloading zone for delivery vehicles is proposed to be accessed off the alley. The proposal requires Development Review under the City's Municipal Code standards (see Chapter 17.160). The proposal must also comply with the standards for the General Commercial (GC) and Commercial/Residential (CR) zones, contained in 17.35 and 17.40 respectively.

2. Chapter 17.160 of the Junction City Municipal Code contains the applicable standards for the proposed development review application. The section requires that all partitions be in conformity with existing development plans and zoning and building ordinances and regulations, that adequate provisions be made for the physical means of providing public utilities and that streets or easements be provided for ingress and egress for the owner as well as the public.
3. The subject property is located in the General Commercial zone, except for Lot 01000, which is Commercial/Residential zone. No buildings currently exist on the subject property. Chapter 17.35 describes the intent and criteria of the General Commercial zone and Chapter 17.40 describes the intent and criteria of the Commercial/Residential zone.

### **III. REVIEW OF APPLICABLE ZONING AND DEVELOPMENT REVIEW CRITERIA**

#### **A. JCMC 17.35 – General Commercial Zoning District**

##### **1. JCMC 17.35.010 Permitted Uses**

*The subject site is zoned General Commercial. Section 17.35.010 establishes permitted uses. The purpose of the General Commercial zone is to identify specific zones for commercial, sales and services, enterprise.*

*A. A use permitted outright in a C2 zone.*

*B. Amusement enterprise, including pool hall, bowling, dancing hall, skating rink, when entirely enclosed in a building.*

*C. Auditorium, exhibition hall or other public assembly room or building.*

*D. Automobile, boat or trailer sales, rental, service and repair.*

*E. Automobile service station.*

*F. Automotive paint shop.*

*G. Car wash.*

*H. Motel.*

*I. Mortuary, undertaking or funeral parlor.*

*J. Taxidermy shop.*

*K. Tire sales and service shop, including tire recapping.*

*L. Small animal clinics and small animal hospitals, that board sick or injured animals, but do not board healthy animals.*

*M. Uses similar to those listed above.*

**FINDING:** The proposed automobile parts store is a permitted use as allowed under the C2 zone, which outright permits a Retail store (see JCMC 17.30.010.A.59). This criterion is met.

##### **2. JCMC 17.35.040 - Restrictions on use.**

*B. Any outside storage shall be conducted entirely within a sight-obscuring fence a minimum of four feet in height when adjacent to a property used or zoned for residential use or when directly visible from a public street or sidewalk and must comply with the vision clearance standards in JCMC 17.95.090. [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 986 § 1, 1994; Ord. 950 § 42, 1991.]*

**FINDING:** The applicant has indicated that no outside storage is proposed. The site does contain a garbage enclosure. The enclosure is proposed to be surrounded by a fence and fence gates. The specific design for the enclosure has not been provided.

**CONDITION:** Prior to building permit issuance, the applicant shall provide detail drawings showing that the fence enclosure around the garbage is a minimum of four feet in height and designed to be sight-obscuring.

### **3. JCMC 17.35.050 - Setbacks standards.**

*In the General Commercial zone yards are measured from the property line to the foundation of the building with a maximum projection of one-foot into any setback area. Projections may include eaves, chimneys, bay windows, overhangs, and similar architectural features. Setbacks shall be as follows:*

*A. A minimum front (street-facing) setback is not required, except as necessary to comply with the vision clearance standards in JCMC 17.95.090. In the case of a corner lot, both street-facing sides of the lot shall be considered the front.*

*B. The side yard is not required except where the foundation of a structure abuts a residential zone, in which case it shall be a minimum of 10 feet.*

*C. A rear yard is not required except where the foundation of a structure abuts a residential zone, in which case it shall be a minimum of 15 feet. [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 43, 1991.]*

#### **FINDING:**

The setback requirements in the GC zone apply to this site as follows:

<b>Frontage</b>	<b>Type of Setback</b>	<b>Minimum Setback</b>
Highway 99	Front	None, except as needed to comply with the vision clearance standards in JCMC 17.95.090□
W 4th Avenue	Front	None, except as needed to comply with the vision clearance standards in JCMC 17.95.090□
W 5th Avenue	Front	None, except as needed to comply with the vision clearance standards in JCMC 17.95.090.

Alley	Rear	The alley adjoins Commercial/Residential zoning. Commercial/Residential zoning is not a residential zone; therefore a 15-foot setback is not required, except as needed to comply with the vision clearance standards in JCMC 17.95.090.□
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The property consists of several separate legal lots of record, which were created as part of the Washburn & Milliards 3rd Addition (platted in 1910). The building would cross over these existing interior lot lines, which would not conform to setback standards.

If the lots were consolidated, the structure is proposed to have the following setbacks:

1. Front of the building is 5 feet from Hwy 99, more than 64 feet from W 5<sup>th</sup> Avenue, and 75 feet from W 4<sup>th</sup> Avenue.
2. The building is located more than 15 feet from the rear property line adjoining the alley.

If the lots were appropriately consolidated, the site development would be consistent with required setback standards.

Easements are required where accesses or private utilities cross property other than that being served.

The property is subject to two permanent easements recorded under 2002094817 and 2002094815. The location of these easements has not been provided on the site plan submitted. The applicant shall either demonstrate that the proposed building locations are consistent with these prior easement agreements or provide evidence that the easement agreements have been modified to allow the proposed building location.

**CONDITION:** The developer shall ensure that each building is located entirely on a legal lot of record, and meet any applicable setback requirements. If this is not possible, options may include (1) lot line adjustment(s) to move the lot line locations out from under the building envelopes, or (2) a replat of the property to eliminate the unwanted interior lot lines. If an alternate method of accomplishing this is proposed, it shall be acceptable to the City and the County Surveyor. If the access, parking or private utilities cross underlying lot lines, reciprocal easements must be provided along all parking areas, access routes or utility/drainage alignments to establish permanent access, parking and utility easement rights to all respective parcels.

**CONDITION:** Prior to building permit issuance, the applicant shall either demonstrate that the proposed building locations are consistent with these prior easement agreements or provide evidence that the easement agreements have been modified to allow the proposed building location.

#### **4. JCMC 17.35.060 Building orientation guideline.**

*In order to create streets which are attractive to pedestrians, create a sense of enclosure, and provide activity and interest along the street edge of a building, the siting of new commercial buildings shall be close to the street rather than set back from the street behind large parking lots. Front (street-facing) setbacks between zero and 25 feet from the front property line are required*

*where site size and configuration permit (see Appendix A, Diagram 10). [Ord. 1178 § 2, 2007; Ord. 1116 § 1, 2003; Ord. 950 § 43A, 1991.]*

**FINDING:** The building is a corner lot, facing three street frontages. The proposed building is located approximately 5 feet from the property line along Hwy 99, the highest volume roadway with the longest street frontage. This criterion is met.

**5. JCMC 17.35.070 Height of buildings.**

*In a GC zone, no building shall exceed a height of 35 feet.*

**FINDING:** The building elevation drawings contained on sheet CE1 of 1 show a building height of 22 feet, in compliance with required building height standards. This criterion is met.

**6. JCMC 17.35.080 Parking.** *In a GC zone, parking lots shall comply with the following standards:*

- A. *Off-street vehicle parking must comply with the landscaping, size, and pedestrian circulation standards specified in Chapter 17.90 JCMC.*
- B. *Parking Lot Siting. To minimize the visual impact of parking areas, new commercial developments shall site off-street parking lots to the rear or side of the building where site size and configuration permit. [Ord. 1178 § 3, 2007; Ord. 1116 § 1, 2003; Ord. 950 § 44A, 1991.]*

**FINDING:** Compliance with parking standards contained in Chapter 17.90 is specifically addressed below.

The site contains three different street frontages and is only 100 feet in depth from Hwy 99 to the alley, which constrains the applicant's ability to meet provide parking on the rear or side of the building. As noted by the applicant, parking is located on two sides and also on the alley side of the building to minimize the visual impact of large expanses of parking. No parking is located in the front of the building as it faces Hwy 99, the highest volume roadway with the longest street frontage. Given the specific site characteristics, this criterion is met.

**7. JCMC 17.35.090 Building entries.** *In a GC zone, new commercial buildings shall comply with the following building entry standards:*

- A. *All commercial buildings must provide at least one customer entrance within 50 feet of an adjacent public sidewalk. Direct pedestrian access from the public sidewalk to the building entrance shall be provided and must be separated, raised, or protected from vehicular traffic and provide access for disabled persons in a manner that complies with applicable state and federal law. This standard does not apply to mini-storage, automobile paint shop, or car wash uses (see Appendix A, Diagram 12). [Ord. 1116 § 1, 2003; Ord. 950 § 44B, 1991.]*

**FINDING:** As depicted on the Site Plan, the proposed retail store's entrance is less than 50' from the Hwy 99 frontage. A handicap accessible pedestrian access walkway crosses the front of the building and connects the sidewalk along Ivy Street/Highway 99 with the alley to the West. Bollards and wheel stops add to the walkway's protection from the vehicular use area. This criterion is met.

**CONDITION:** The final layout of the parking areas and access driveway shall conform to the PWDS and be acceptable to the City Engineer, Public Works and the Fire Chief, including but not limited to width, alignment, turning radius, clear vision areas, etc. Prior to issuance of a final inspection or Certificate of Occupancy, marking, striping and signing of crosswalks, parking stalls and handicap stalls conforming with City and ADA standards shall be completed.

8. **JCMC 17.35.100 Building form.** *In a GC zone, new commercial buildings shall comply with the following building form standards:*
  - A. *Building Articulation. Buildings with 10,000 square feet or greater of enclosed ground floor space shall have articulated facades on all street-facing elevations. This criterion is met when an elevation contains at least one of the following features for every 40 feet of horizontal building length: primary entrances; weather protection (awnings, canopies, arbors, trellises); building offsets or projections of a minimum of two feet in depth; changes in elevation or horizontal direction; sheltering roof terraces; a distinct pattern of division in surface materials; ornamentation; screening trees; small scale lighting (e.g., wall-mounted lighting or up-lighting); and similar features as generally shown in Appendix A, Diagram 11.*
  - B. *Windows. All street-facing building facades shall provide windows along a minimum of 50 percent of the length and 20 percent of the ground floor wall area (doorways may be used to help satisfy this standard). On corner lots, the general ground floor window standards must be met on one street frontage only. On the other street(s), the requirement is one-half of the general standard. This standard does not apply to mini-storage, automobile paint shop, or car wash uses (see Appendix A, Diagram 12). [Ord. 1178 § 4, 2007; Ord. 1116 § 1, 2003; Ord. 950 § 44C, 1991.]*

**FINDING:** The building, at 6,871 square feet in size, contains less than 10,000 square feet of ground floor area and, as a result, item A above is not applicable.

The building is a corner lot, facing three street frontages, and therefore one frontage must meet the required standard, and the other frontage must meet one-half the required standard. The following windows are provided along each of the respective building frontages:

- W 4<sup>th</sup> Avenue:
  - Building façade length: 71.33'
  - Building façade height: 22'
  - Building façade area: 1,569 square feet
  - Percent of windows along building length: 53% (38 feet/71.33 feet)
  - Percent of windows along wall area: 29% (456 square feet/1,569 square feet)



- Hwy 99:
  - Building façade length: 96' 4"
  - Building façade height: 22'
  - Building façade area: 2,117 square feet
  - Percent of windows along building length: 0%
  - Percent of windows along wall area: 0%
- W 5<sup>th</sup> Avenue:
  - Building façade length: 71.33'
  - Building façade height: 22'
  - Building façade area: 1,569 square feet
  - Percent of windows along building length: 0%
  - Percent of windows along wall area: 0%

The criterion is met for the W 4<sup>th</sup> Avenue façade only. The applicant has requested a variance to eliminate the window requirement on the East and North facades. Compliance with the variance standards is addressed separately below.

9. **JCMC 17.35.110 Trash receptacles.** *Trash receptacles shall be screened on all sides with an evergreen hedge or solid fence or wall of not less than six feet in height. No trash receptacle shall be located within required setbacks or within 25 feet of property lines abutting residential zones. [Ord. 1116 § 1, 2003; Ord. 950 § 44D, 1991.]*

**FINDING:** The enclosure is proposed to be surrounded by a fence and fence gates. The specific design for the enclosure has not been provided. The enclosure is proposed to be located 9 feet from the alley. Properties on the west side of the alley are zoned Commercial/Residential, which is not a residential zone. As a result, subject to the condition noted below, this criterion has been met.

**CONDITION:** Prior to issuance of a final inspection or Certificate of Occupancy, the applicant shall install required screening around the garbage enclosures.

10. **JCMC 17.35.120 Utilities.** *All utilities on the development site shall be placed underground. Ground-mounted equipment such as transformers, utility pads, cable television and telephone boxes, cell tower equipment boxes, and similar utility services shall be placed underground wherever practicable. Where undergrounding is not practicable, equipment shall be screened from view from adjacent streets, sidewalks, and abutting residentially zoned properties with an evergreen hedge or solid fence or wall at least four feet in height and must be sited to comply with the vision clearance standards in JCMC 17.95.090.*

**FINDING:** There are a series of power poles providing overhead electricity service and other utility service along the alley located mid-block between Juniper St and Hwy 99. These poles provide service to the neighboring residential and commercial developments. In order to widen the alley access to provide a wider path of travel to accommodate emergency vehicles and delivery vehicles to the site, the applicant is proposing to relocate this existing overhead service. The relocation of service would result in three poles being reset on the site, and the overhead utility

crossing the site to connect to the poles. It is not practicable to replace this existing network of overhead service underground at this time, due to the length of undergrounding that would be needed to retain service for the existing properties currently served by this overhead service. The applicant is proposing to underground the new service that would be installed from the poles to the building. Given these site characteristics and compliance with the proposed condition, this criterion is met.

**CONDITION:** Prior to work on the proposed utility reconfiguration, the applicant shall establish appropriate easements for the utility relocation on the site, which shall be acceptable to the City Engineer, Public Works and utility companies with service.

**11. 17.35.130 Delivery and loading facilities.** *In a GC zone, new commercial buildings shall comply with the following delivery and loading facility standards:*

- A. *Delivery and loading facilities are not permitted in required setback areas.*
- B. *All loading spaces for commercial buildings and uses shall be off the street, shall be in addition to required off-street parking spaces, and shall be served by service drives and maneuvering areas so that no backward movement or other vehicle maneuvering within a street, other than an alley, will be required. [Ord. [1116](#) § 1, 2003; Ord. [950](#) § 44F, 1991.]*

**FINDING:** The loading area is proposed to be located on the west side of the building, adjoining the alley. As noted above, no setback is required in the GC along the alley. As a result, the proposed loading area is not located in a required setback area.

The loading space is in addition to required off-street parking spaces. Vehicular maneuvering would only occur within the alley, which is permitted in compliance with this standard. This criterion is met.

**12. 17.35.140 Drive-through facilities.** *Drive-up and drive-through facilities (e.g., associated with restaurants, banks, car washes, and similar uses) shall conform to all of the following standards:*

*A stacking lane a minimum of 80 feet in length shall be provided for cars waiting to access a drive-through window. The stacking lane must be contained entirely on private property between the public right-of-way and the drive-through window and shall not interfere with vehicle parking or circulation. [Ord. [1116](#) § 1, 2003; Ord. [950](#) § 44G, 1991.]*

**FINDING:** No drive through facilities are proposed. This criterion is met.

B. JCMC 17.40 – Commercial/Residential Zoning District

- 1. **17.40.010 Uses permitted outright.** *In the CR zone, only the following uses and their accessory uses are permitted outright:*
  - A. *A use permitted in the R3 zone.*



*B. Neighborhood commercial uses as follows:*

- 1. Retail goods and services;*
- 2. Child care center (care for more than 12 children);*
- 3. Food services, excluding automobile-oriented uses;*
- 4. Medical and dental offices, clinics, and laboratories;*
- 5. Professional and administrative offices;*
- 6. Repair services, conducted entirely within the building; auto repair and similar uses not permitted;*
- 7. Mixed use building (residential with other permitted uses);*
- 8. Laundromats and dry cleaners;*
- 9. Art, music, or photography studio;*
- 10. Personal services (barber shops, salons, similar uses).*

*C. Uses similar to those listed above. [Ord. [1116](#) § 1, 2003; Ord. [1037](#) § 1, 1997; Ord. [1025](#) § 3, 1996; Ord. [975](#) § 3, 1993; Ord. [950](#) § 45, 1991.]*

**FINDING:** The proposed automobile parts store is a permitted use as allowed under the CR zone, which outright permits a Retail goods and service store. This criterion is met.

**2. 17.40.030 Lot size.** *In a CR zone, the lot size shall be as follows:*

- A. The minimum lot area for commercial shall be 5,000 square feet.*
- B. The minimum lot area for two-family dwellings (duplexes) shall be 6,000 square feet.*
- C. For multiple-family dwellings, the minimum lot area shall be 7,500 square feet.*
- D. The minimum lot width at the front building line shall be 50 feet for an interior lot, and 35 feet for cul-de-sac lots.*
- E. There is no minimum lot depth.*
- F. The minimum lot area for townhomes (single-family attached or row houses) shall be 2,500 square feet per unit. The minimum lot width at the building front shall be 25 feet. [Ord. [1197](#) § 1, 2010; Ord. [1116](#) § 1, 2003; Ord. [1037](#) § 1, 1997; Ord. [950](#) § 47, 1991.]*

**FINDING:** Tax Lot 0100 is over 10,000 square feet in size. This criterion is met.

**3. 17.40.040 Setback requirements.**

*Except as provided in JCMC [17.40.050](#) and [17.95.060](#), in a CR zone the yards, measured from the property line to the foundation of the building, shall be as follows:*

- A. A minimum front setback of 15 feet is required for multifamily dwellings, townhomes, and duplexes, except that a covered (but not enclosed) porch may be within 10 feet of the front line. A minimum front setback of 10 feet is required for nonresidential and mixed use buildings.*
- B. Each side yard setback shall be a minimum of six feet, except that on corner lots, the side yard on the street side shall be a minimum of 15 feet. Townhomes shall have no setback requirement where they share common walls.*
- C. The back yard shall be a minimum of 15 feet.*
- D. In the case of a two-family (duplex) residential use on a corner lot where primary vehicular access is provided from two streets, then both yards abutting the street shall be considered the front*

yard. Setbacks for back yards are measured separately for each residential dwelling opposite the front yard (see Appendix A, Diagram 2).

*E. No building shall encroach into a public utility easement or vision clearance area (JCMC [17.95.090](#)). [Ord. [1116](#) § 1, 2003; Ord. [1037](#) § 1, 1997; Ord. [950](#) § 48, 1991.]*

#### **FINDING:**

The setback requirements in the CR zone apply to this site as follows:

Frontage	Type of Setback	Minimum Setback
Juniper Street	Front	10 feet
W 4th Avenue	Side	15 feet
North Property Line	Side	
Alley	Rear	10 feet□

No building is proposed on Tax Lot 01000; therefore, this criterion is met.

#### **4. 17.40.050 Setback exceptions.**

*In a CR zone, the following architectural features are allowed to encroach into the setback yards: eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into setbacks by up to three feet; provided, that the State Fire Code is met. Walls and fences may be placed on property lines, subject to the standards in JCMC [17.95.020](#). Walls and fences within front yards shall additionally comply with the vision clearance standards in JCMC [17.95.090](#). [Ord. [1116](#) § 1, 2003; Ord. [950](#) § 48A, 1991.]*

**FINDING:** No building is proposed on Tax Lot 01000; therefore, this criterion is met.

#### **5. 17.40.060 Height of buildings.**

*No buildings shall exceed a height of 35 feet. Building height may be restricted according to requirements in JCMC [17.20.070](#), [17.20.090](#) and [17.40.090](#). [Ord. [1116](#) § 1, 2003; Ord. [1037](#) § 1, 1997; Ord. [950](#) § 49, 1991.]*

**FINDING:** No building is proposed on Tax Lot 01000; therefore, this criterion is met.

#### **6. 17.40.070 Lot coverage.**

*In a CR zone, the buildings shall not occupy more than 60 percent of the lot area. [Ord. [1116](#) § 1, 2003; Ord. [1037](#) § 1, 1997; Ord. [950](#) § 50, 1991.]*

**FINDING:** No building is proposed on Tax Lot 01000; therefore, this criterion is met.

## **7. 17.40.090 Nonresidential standards.**

*All new nonresidential buildings in the CR zone shall comply with the development review, building height transition, building orientation, building form, and other standards listed in the R3 zone in JCMC [17.20.030](#), [17.20.090](#) through [17.20.110](#) and [17.20.130](#) with the following exceptions:*

*A. Hours of operation are not limited.*

*B. There is no maximum floor area standard. [Ord. [1116](#) § 1, 2003; Ord. [950](#) § 50B, 1991.]*

**FINDING:** No building is proposed on Tax Lot 01000; therefore, this criterion is met.

### **C. JCMC 17.85 – Access Management**

#### **1. 17.85.030 Permit application.**

*Requests for new accesses or modified access to public rights-of-way shall complete an access permit application and comply with the standards in this chapter. [Ord. [1103](#) § 1, 2002; Ord. [950](#) Appx. H, 1991.]*

**FINDING:** The applicant is proposing to modify the access design for the alley at its connection to both 4<sup>th</sup> and 5<sup>th</sup> Street. As a result, the applicant shall be required to complete an access permit application. Subject to this condition, the application complies with this criterion.

**CONDITION:** Prior to building permit issuance, the applicant shall obtain access approval from the Public Works Department for the modified alley access design.

#### **2. 17.85.040 Compliance with regulations.**

*The proposed use and development of land shall conform to all applicable land use regulations and the Junction City comprehensive plan. [Ord. [1103](#) § 1, 2002; Ord. [950](#) Appx. H, 1991.]*

**FINDING:** The City has adopted and the County has co-adopted a Refinement Plan to the City's Transportation System Plan. The Refinement Plan is an element of the Comprehensive Plan. There are several provisions under this Plan that apply to the subject property:

1. Access spacing. Under the Refinement Plan, the subject property is located in Zone 3, wherein a 425 foot access standard was put into place (see Table 3-1). Since no new access is proposed along Hwy 99, this provision is met.

2. Alley design. Under the plan, along OR 99 from 17th Avenue to 1st Avenue, property access is recommended to be located on side streets, rather than taken directly from the highway. The access management plan recommends that alleys in this section of the Hwy 99 corridor be improved by widening the alley a minimum of 4 feet on each side of the existing alley and establishing a minimum unobstructed approach throat distance of 30 feet from the back of the sidewalk. The applicant is proposing to comply with these provisions, as follows:

- Locate access off of the mid-block alley separating Juniper Street and Hwy 99.
- Relocate existing utility poles that currently encroach into the travel width of the alley, therefore widening the effective travel width of the alley;

- Provide a 30-foot wide alley approach width where the alley joins both W 4<sup>th</sup> and 5<sup>th</sup> Avenues.

**CONDITION:** Prior to final inspection or Certificate of Occupancy, the applicant shall dedicate the area needed to widen the alley to provide a 30-foot access approach. The dedication shall be reviewed and approved by the Public Works Director and City Engineer, shall be accepted by the City Council, and shall be recorded with Lane County.

### 3. JCMC 17.85.060 Corner clearance.

*A. New accesses shall meet or exceed the minimum spacing requirements as set forth in Table 17.85.060 for that roadway's classification, as set out in the city's transportation system plan. The measurement shall be from centerline to centerline of the intersection.*

*Table 17.85.060: Access Spacing*

<i>Roadway Type</i>	<i>Access Spacing</i>
<i>Arterial</i>	<i>150 feet</i>
<i>Major Collector</i>	<i>75 feet</i>
<i>Minor Collector</i>	<i>50 feet</i>
<i>Local Street</i>	<i>25 feet</i>

**FINDING:** Access is proposed off of the mid-block alley separating Juniper Street and Hwy 99. This alley connects to both W 4<sup>th</sup> and 5<sup>th</sup> Avenues, which are designated as local access streets in the City's Transportation System Plan. Since no new access is proposed, this criterion is met.

The 2008 OR 99 Junction City Refinement Plan places the site in Zone 3. Zone 3 calls for access spacing of 425 feet on Highway 99. No access to Highway 99 is proposed. As a result, the proposed access conforms to the City's standards for access spacing.

### 4. JCMC 17.85.070 Joint and cross access.

- A. Adjacent commercial or office properties classified as major traffic generators (i.e., uses that generate more than 30 peak hour trips, as cited in the Institution of Transportation Engineers' (ITE) trip generation tables) shall provide a cross-access drive and pedestrian access to allow circulation between sites.*

- B. *For new commercial retail and service uses, a system of joint use driveways and cross-access easements shall be established wherever feasible and shall incorporate the following:*
1. *A continuous service drive or cross-access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards;*
  2. *A design speed of 10 m.p.h. and a maximum width of 20 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;*
  3. *Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross access via a service drive;*
  4. *A unified access and circulation system plan for coordinated or shared parking areas is encouraged.*
- C. *Shared parking areas shall be permitted a reduction in required parking spaces if peak demands do not occur at the same time periods.*
- D. *Pursuant to this section, property owners shall:*
1. *Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross-access or service drive;*
  2. *Record an agreement with the deed that remaining access rights along the roadway will be dedicated to Junction City and pre-existing driveways will be closed and eliminated after construction of the joint use driveway;*
  3. *Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.*
- E. *The city may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make a development of a unified or shared access and circulation system impractical. [Ord. [1103](#) § 1, 2002; Ord. [950](#) Appx. H, 1991.]*

**FINDING:** The proposed retail store stands alone on the site, which spans from West 4<sup>th</sup> Avenue to West 5<sup>th</sup> Avenue, thus, a cross access drive between properties is not necessary. This criterion is met.

D. JCMC 17.90 – Off-Street Parking and Loading

**1. JCMC 17.90.010**

- A. *Off Street Parking Spaces Required. At the time of erection of a new structure, or at the time of enlargement of an existing structure's floor area by more than 20 percent or at the time of change in use of an existing structure within any zone in the City, off-street parking spaces shall be provided in accordance with the requirements of this section.*

**FINDING:** Off-street parking has been provided, as depicted on the site plan.

**E. Off-Street Parking Spaces.** *The minimum number of off-street parking spaces shall be provided as follows:*

*(6)(a) Retail Stores - Spaces equal to 1space for every 350 square feet of floor space.*

**FINDING:** The store is proposed would be 6,871 square foot store, which would require 20 parking stalls to be provided. The proposed site plan shows 34 parking stalls. Subject to the proposed condition, this criterion is met.

**CONDITION:** The final layout of the parking areas and access driveway shall conform to the PWDS and be acceptable to the City Engineer, Public Works and the Fire Chief, including but not limited to width, alignment, turning radius, clear vision areas, etc. Prior to issuance of a final inspection or Certificate of Occupancy, marking, striping and signing of crosswalks, parking stalls and handicap stalls conforming with City and ADA standards shall be completed.

## **2. JCMC 17.35.080, Parking**

*In a GC zone, parking lots shall comply with the following standards:*

*A. Off-street vehicle parking must comply with the landscaping, size, and pedestrian circulation standards specified in Chapter [17.90](#) JCMC.*

**FINDING:** These standards are more specifically addressed below.

*B. Parking Lot Siting. To minimize the visual impact of parking areas, new commercial developments shall site off-street parking lots to the rear or side of the building where site size and configuration permit. [Ord. [1178](#) § 3, 2007; Ord. [1116](#) § 1, 2003; Ord. [950](#) § 44A, 1991.]*

**FINDING:** The site contains three different street frontages and is only 100 feet in depth from Hwy 99 to the alley, which constrains the applicant's ability to meet provide parking on the rear or side of the building. As noted by the applicant, parking is located on two sides and also on the alley side of the building to minimize the visual impact of large expanses of parking. No parking is located in the front of the building as it faces Hwy 99, the highest volume roadway with the longest street frontage. Given the specific site characteristics, this criterion is met.

*F. Bicycle parking facilities shall be provided as part of new multifamily developments of three units or more, new retail, office and institutional developments, and all transit transfer stations and park and ride lots. Bicycle parking requirements shall apply to new development, changes of use, and building expansions and remodels where the floor area of the building is being increased by 50 percent or more. Bicycle parking spaces shall provide a convenient place to lock a bicycle and shall be at least six feet long, two feet wide, and shall provide at least seven feet of vertical clearance. Bicycle parking shall not interfere with pedestrian circulation. For any use where bicycle parking is required, if the vehicular parking is covered or partly covered the bicycle parking will be covered at the same ratio. Bicycle parking spaces shall be provided as indicated below:*



1. Multifamily dwellings of 3 or more dwelling units      *At least 1 covered bicycle space for each dwelling unit.*

2. Parking lots: All public, commercial, and institutional parking lots      *1 bicycle space for every 10 motor vehicle parking spaces.*

*G. In calculating the number of required spaces, fractions shall be rounded up to the nearest whole number.*

**FINDING:** As a commercial use, the store would be required to provide a minimum of 4 bicycle spaces. The location for bicycle parking is near the southeast corner of the building. With compliance with the condition, this criterion is met.

**CONDITION:** Prior to building permit issuance, the applicant shall provide detailed section drawings showing the design of the bicycle parking. Bicycle parking shall be at least six feet long, two feet wide, and shall provide at least seven feet of vertical clearance. Bicycle parking shall not interfere with pedestrian circulation. Prior to issuance of a final inspection or Certificate of Occupancy, the applicant shall install required bicycle parking facilities.

### **3. JCMC 17.90.020 Off-street loading.**

*B. Merchandise, Materials or Supplies. Buildings or structures to be built or substantially altered which receive and distribute material or merchandise shall provide and maintain off-street loading berths in sufficient numbers and size to adequately handle the needs of the particular use. If loading space has been provided in connection with an existing use or is added to an existing use, the loading space shall not be eliminated if elimination would result in less space than is required to adequately handle the needs of the particular use. Off-street parking areas used to fulfill the requirements of this chapter shall not be used for loading and unloading operations except during periods of the day when not required to take care of parking needs.*

**FINDING:** The loading area is proposed to be located on the west side of the building, adjoining the alley. As noted above, no setback is required in the GC along the alley. As a result, the proposed loading area is not located in a required setback area.

The loading space is in addition to required off-street parking spaces. Vehicular maneuvering would only occur within the alley, which is permitted in compliance with this standard. This criterion is met.

### **4. 17.90.030 General provisions – Off-street parking and loading.**

*E. Distance of Parking from Use. Off-street parking spaces shall be located on the same lot with the building. However, nonresidential required parking spaces may be located not farther than 400 feet from the building or use they are required to serve, measured in a straight line from the building, and shall be used by the business's employees. Exceptions to this requirement are listed in JCMC 17.90.010(B).*

**FINDING:** All proposed parking is located on the same or adjacent lot less than 400 feet from the building. This criterion is met.

*F. Parking Space Usage. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.*

*H. Design Requirements. Design requirements for parking lots and spaces, with the exception of single-family and duplex dwelling units:*

*1. Areas used for parking, standing, and maneuvering of vehicles shall have a hard surface of asphalt or concrete and be maintained adequately for all-weather use and so drained as to avoid flow of water onto adjacent property. Lots may be paved with a permeable surface, subject to approval by the city administrator or designee. Permeable pavement parking lots may be sited anywhere, but are subject to the requirements listed in subsections (I)(1) and (3) through (6) of this section. Gravel lots may be approved as a conditional use as outlined in subsection (I) of this section. Size of standing and maneuvering areas, in addition to the required number of parking spaces, shall comply with the areas illustrated in Appendix A, Diagram 14.*

**FINDING:** The parking lot areas are proposed to be constructed of asphalt concrete and are proposed to be drained to avoid flow of water onto adjacent properties.

**FINDING:** The applicant shall comply with stormwater design standards established as part of the PWDS and be acceptable to the City Engineer and Public Works Director. Prior to issuance of a final inspection or Certificate of Occupancy, all required parking lot surfacing and stormwater improvements conforming to City and ADA standards shall be completed.

*1. Except for parking to serve single-family detached, townhome, or duplex residential uses, parking and loading areas adjacent to or within residential zones or adjacent to residential uses shall be designed to minimize disturbance of residents by the erection between the uses of a sight-obscuring fence of not less than four feet in height except where vision clearance is required by this code.*

**FINDING:** The property is not located adjacent to residential zones or uses.

*3. Parking spaces within a parking lot shall be designed and constructed so that no portion of a parked vehicle, including an opened door, will extend beyond the property line.*

**FINDING:** The parking spaces have been designed so that no portion of a parked vehicle will extend beyond the property line.

*4. Artificial lighting which may be provided shall be so arranged as to not produce direct glare on any abutting or adjacent residential zone or on any adjacent dwelling.*

**FINDING:** The application information depicts exterior lighting on the proposed site plan. The location of exterior light fixtures is shown, and Detail 1 on the Site Utilities sheet shows the use of a shoebox style. This type of light fixture fully shields the lightbulb to minimize off site glare. The detail drawing also shows the light bulb parallel to the ground, so that is not shining directly to other buildings off-site. There are no abutting or adjacent residential zones, but there are adjoining dwellings located on the west side of the alley. With compliance with the proposed design, this criterion is met.

**CONDITION:** Prior to building permit issuance, the applicant shall submit a plan detailing the location and details for the parking lot and exterior building lighting that is consistent with the standards contained in JCMC 17.90.020, as well as any other applicable standards contained in the Public Works Design Standards and Oregon Building Code requirements.

*5. Access aisles shall comply with the aisle widths illustrated in Appendix A, Diagram 14.*

**FINDING:** The on-site access aisles are greater than 24 feet in width, consistent with Appendix A, Diagram 14. Requirement is met.

**CONDITION:** The final layout of the parking areas and access driveways shall conform to the PWDS and be acceptable to the City Engineer, Public Works and the Fire Chief, including but not limited to width, alignment, turning radius, clear vision areas, etc. Prior to issuance of a final inspection or Certificate of Occupancy, marking, striping and signing of crosswalks, parking stalls and handicap stalls conforming with City and ADA standards shall be completed.

*6. All parking spaces, except single-family detached, townhomes, and duplex residential, shall be served by a driveway designed so that no backing movements or other maneuvering within a street, other than an alley, will be required.*

**FINDING:** The proposed parking has been designed so that no backing movements or other maneuvering within a street, other than an alley, will be required. This criterion is met.

*7. Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the site. In no case shall two-way and one-way driveways be less than 20 feet wide and 12 feet wide respectively. The number of service drives shall be limited to the minimum that will allow the property to accommodate and service the traffic to be anticipated. Service drives shall be clearly and permanently marked and defined through use of rails, fences, walls or other barriers or markers on frontage not occupied by service drives. Service drives are also subject to the requirements of Chapter [17.85](#) JCMC.*

**FINDING:** The applicant has consolidated access to the mid-block alley. The alley is platted as 20 feet in width. The existing power poles that partially encroach into the alley are proposed to be reconfigured to expand the effective width of the alley to 20 feet. With the condition of approval, this criterion has been met.

**CONDITION:** The final layout of the parking areas and access driveways shall conform to the PWDS and be acceptable to the City Engineer, Public Works and the Fire Chief, including but not limited to width, alignment, turning radius, clear vision areas, etc. Prior to issuance of a final inspection or Certificate of Occupancy, marking, striping and signing of crosswalks, parking stalls and handicap stalls conforming with City and ADA standards shall be completed.

*8. Lots containing more than three parking spaces shall have all spaces permanently and clearly marked.*

**FINDING:** The site plan contains more than three parking stalls and, a result, is subject to this requirement. With compliance with the condition of approval, this criterion is met.

**CONDITION:** Prior to issuance of a final inspection or Certificate of Occupancy, marking, striping and signing of crosswalks, parking stalls and handicap stalls conforming with City and ADA standards shall be completed.

*9. If four or more off-street parking spaces are required under this code, then off-street parking and maneuvering areas adjacent to public streets and drives shall provide a minimum of two square feet of landscaping for each lineal foot of street and/or drive frontage. Such landscaping shall consist of landscaped berms or evergreen shrubbery at least two feet in height upon maturity, which shall be parallel to and adjacent to the street frontage and drive as much as practical. Additionally, one tree, which will provide a canopy of at least 300 square feet upon maturity, shall be provided for each 30 lineal feet of street frontage or fraction thereof. For a list of allowed trees, see JCMC [12.35.110](#). Said landscaping shall be provided with irrigation facilities and protective curbs or raised wood headers.*

**FINDING:** The site plan shows parking located adjacent to W 4<sup>th</sup> and 5<sup>th</sup> Avenues as well as Hwy 99. The applicant has provided a landscaping plan that identifies planter beds to be installed between the parking and adjoining streets. These landscaping beds provide more than two square feet of landscaping per lineal foot. The landscape plans depict evergreen shrubbery that will be at least two feet on maturity. The landscape plans show trees planted at 30 feet on center along the W 5<sup>th</sup> Avenue frontage. The W 4<sup>th</sup> Avenue and Hwy 99 frontages need additional trees to meet this requirement.

**CONDITION:** Prior to issuance of a building permit, submit and obtain approval for a revised landscaping plan providing two additional trees along Hwy 99 adjoining the parking area, and one additional tree along W 4<sup>th</sup> Avenue adjoining the parking area. In addition, the applicant shall be required to submit and obtain approval for irrigation facilities for the proposed landscaping.

Prior to final inspection and a Certificate of Occupancy, the applicant shall install all required landscaping improvements.

*10. Parking lots with 20 or more spaces shall comply with the following interior landscaping standards (see Appendix A, Diagram 13):*

*a. A minimum of 10 percent of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of evenly distributed shade trees with shrubs and/or ground cover plants. There shall be one planter island for every 10 parking spaces. Planter islands shall be a minimum of eight feet in width (exclusive of the curb) and a full parking space in length and contain one deciduous shade tree (a minimum two inches in caliper at planting). Tree species shall be limited to those species specified in JCMC [12.35.110](#). The parking islands shall be fully landscaped with shrubs and ground cover, which will not exceed three feet in height at maturity. Bark mulch shall not be an acceptable substitute for vegetation.*

*b. A minimum six-foot-wide planter area shall separate and visually screen parking from building facades with living area windows. The planting area shall include a mix of ground cover, shrub, and/or tree species of appropriate size and growth habit. At least one small tree or large shrub with mature canopy no larger than 10 feet in diameter shall be provided for each 50 lineal feet of building.*

*c. Where a parking, maneuvering area, or driveway is adjacent to a commercial building, the area shall be separated from the building by a curb and a raised walkway, plaza or landscaped buffer not less than five feet in width. Raised curbs, bollards, wheel stops, or other design features shall be used to protect pedestrians, landscaping, and buildings from being damaged by vehicles.*

*d. The property owner shall be responsible for maintaining the landscaped areas to the specified standards.*

**FINDING:** The applicant has separated the parking into different parking lots. Each of these parking lots contains less than 20 parking stalls, but in total the lots contain more than 20 stalls. The parking areas in total equal approximately 10,600 square feet, requiring approximately 1,060 square feet of internal landscaping. The applicant has provided internal landscaping in several locations in the parking lots, including adjoining alleys, separating from adjoining residential development on Taxlot 0100 and at the southeast corner of the site. These landscape areas total more than 10 percent of the parking lot area.

The requirement for the number of planter islands has been met, but the landscape design does not provide a sufficient number of trees in these planter islands to meet the required standard.

The building does not contain living windows; therefore the requirement for planting is not applicable.

The parking is separated from the building by wheelstops and landscaping in different locations.

**CONDITION:** Prior to issuance of a building permit, submit and obtain approval for a revised landscaping plan providing three trees in planter islands shown on the site plan. In addition, the applicant shall be required to submit and obtain approval for irrigation facilities for the proposed landscaping.

Prior to final inspection and a Certificate of Occupancy, the applicant shall install all required curbing and landscaping improvements.

## **5. JCMC 17.95.090 Vision clearance.**

*The vision clearance area contains no plantings, walls, structures, or temporary or permanent obstructions exceeding three and one-half feet or lower than eight feet in height measured from the grade of the street centerline. Vision clearance shall be provided from the outside edge of the curb as shown in Appendix A, Diagram 1, or from the edge of the paved road where no curbs exist with the following distances establishing the size of the vision clearance area:*

*A. In a residential zone the minimum distance shall be 30 feet at street intersections and 10 feet for an alley or driveway.*

*B. In all other zones, except the C2, the minimum distance shall be 15 feet at street intersections including an alley or service drive; except that when the angle of intersection between streets is less than 30 degrees, the distance shall be 25 feet. [Ord. 1037 § 1, 1997; Ord. 950 § 89, 1991.]*

**FINDING:** The proposal complies with required vision clearance standards.

E. JCMC 17.160 – Development Standards

**1. JCMC 17.160.020 Definitions.**

*For purposes of this chapter, the following words and phrases shall have the meaning ascribed to them herein:*

*“Development” means the conversion or change in character of occupancy or use of a building which would place the structure in a different building group as defined in the Uniform Building Code; the erection of a new structure; the demolishing of existing buildings for the conversion of such property to a differing use; the creation of gasoline pumps, drive-up windows, traffic islands or similar alterations which channelize, alter or increase the traffic volume or pattern on adjacent roadways. The term “development” for purposes of this chapter shall not mean interior remodeling, repairs, maintenance or improvements to any existing structure which does not increase the volume of the structure. Specifically exempted under this chapter are building facades, roof or exterior wall repair or replacement, heating, ventilating or electrical alterations, or activities similar in character.*

**FINDING:** The proposal would meet the definition of development and, as a result, are subject to the Development Standards contained in JCMC 17.160.

**2. JCMC 17.160.050 Development requirements.**

*The following requirements shall pertain to all development falling under the categories identified in JCMC [17.160.020](#):*

*A. The applicant shall complete a building permit application as provided by the city and a site plan. The site plan shall be drawn to scale and show all existing and proposed structures and their exterior dimensions; all streets, alleys and other public right-of-way; existing and proposed utility lines and/or easements; building setbacks; location of utilities and proposed connection routes; off-street parking; curb cut and sidewalk locations and dimensions and a drainage plan. When required in a conditional use permit or in a major development, the city may require the applicant to supply landscape plans, screening, lighting, fire flow and similar requirements.*

**CONDITION:** Prior to commencement of any construction, the applicant shall obtain a building permit and shall demonstrate compliance with the Building Official’s comments addressed in Exhibit 3.

**CONDITION:** Building permits for work on the building(s) and construction permits for site/street/utility work shall not be issued until after the developer has received final approval (from Public Works) of engineered site, street and utility construction drawings per PWDS requirements, a Developer-City construction agreement has been executed, and a performance security satisfactory to the City has been submitted guaranteeing that all improvements will be completed in accordance with the approved drawings and City standards within the specified time period (PWCS 1.9). The engineered construction drawings shall be based on a topographic survey showing the location of all



property lines, right-of-way lines and existing or new easements (including recording references), and shall include all required site and utility improvements, including (as applicable) street improvements/repairs, sidewalks, street lights, water, fire hydrants, sanitary sewer, storm drainage, access driveways/fire lanes and parking lot layout/dimension plans, site grading, and irrigation plans for all phases of the development as applicable.

**CONDITION:** Except as specifically modified by this land use decision, the developer shall be responsible to obtain site/street/utility construction permits and building permits (and commence substantial construction) within one-year of this approval, or the approval will expire unless an extension is granted (this does not require that all construction to be complete within the 1 year period). All structures must receive a certificate of occupancy within 18 months of beginning construction, or the approval will expire.

*B. Where the applicant's development site abuts existing curb and gutter, sidewalks in conformance with city standards are required to be constructed to the extent curb and gutter exist at the time of application.*

**FINDING:** The development abuts existing curb and gutter along W 4<sup>th</sup> and 5<sup>th</sup> Avenues as well as Hwy 99. Sidewalks exist along these frontages.

**CONDITION:** Any modifications to the sidewalk shall be designed to comply with the PWDS.

*C. Pedestrian Access and Circulation.*

*1. Internal pedestrian circulation shall be provided in new and expansions of commercial, office, and multifamily residential developments through the clustering of buildings, construction of hard surface walkways, landscaping, accessways, or similar techniques.*

*2. Commercial Development Standards.*

*a. New commercial buildings, particularly retail shopping and offices, shall be encouraged to orient to the street, near or at the setback line. A main entrance shall be oriented to the street. For lots with more than two front yards, the building(s) shall be oriented to the two busiest streets.*

*b. Off-street motor vehicle parking for new commercial developments shall be encouraged to locate at the side or behind the building(s).*

*3. All site plans (industrial and commercial) shall clearly show how the site's internal pedestrian and bicycle facilities connect with external existing or planned facilities or systems.*

*4. Development covered under this chapter shall ensure all pedestrian facilities on site and adjacent to the site are handicapped accessible, as required by state and federal laws.*

**FINDING:** A sidewalk connects the right of way along Ivy Street/Highway 99 with the entry to the retail store and a transportation drive to the West of the main site, allowing for complete east-west cross-access pedestrian movement.

**FINDING:** While the application has provided an internal sidewalk that connects to the external public sidewalk along Hwy 99, but there are areas on the site that are not connected with other parts

of the development, including: 1) the north parking lot 2) the parking lot on Taxlot 01000, and 3) and parking area located on the west side of the building. These parking lots should contain marked crossings or other walkway that will provide safe, delineated access to the primary pedestrian walkway system on the site.

**CONDITION:** Prior to building permit issuance, the applicant shall submit a revised site plan that provides marked crossings or other walkway that will provide safe, delineated access from the north parking lot, the parking lot on Taxlot 0100, and the parking area located on the west side of the building to the primary pedestrian walkway system on the site.

**CONDITION:** Prior to issuance of a final inspection or Certificate of Occupancy, the on-site sidewalk shall be installed in conformance with City and ADA standards.

**FINDING:** Building orientation is specifically addressed in the GC zoning standards, which were addressed earlier in this staff report. The building has been designed to meet these standards by placing the building close to Hwy 99, the busiest street, and by having the front doors facing the W 4<sup>th</sup> Avenue frontage, but within 50 feet of Hwy 99.

*D. The applicant shall be required to participate in public facilities, such as water, wastewater, drainage, curb, gutter, sidewalk and street right-of-way adjacent to the development in conformance with city standards and provide easements or deeds to the city for all such public facilities. However, where it is determined that delaying the design and construction of any or all such facilities is not appropriate and logical, or causes an adverse impact on surrounding properties, the city may require the developer to construct and dedicate all such improvements as a condition to development.*

**FINDING:**

**Water Service:** The application and preliminary drawings indicate that water service will be provided by connecting to the mainline along Ivy Street. It is not clear to us whether or not the building will have a fire sprinkler system. Our records show that the existing waterlines in this area consist of the following:

- 6-inch CI waterline along the north side of 4th Avenue
- 6-inch CI waterline along the west side of Ivy Street
- 8-inch PVC waterline Juniper Street (per your recent email).

City standards require that water service, fire hydrants and water facilities meeting City standards must be provided as in conjunction with developments where required to provide service to the development property. The City's PWDS further requires that the water system shall have the capacity to provide sufficient volumes of water at adequate pressures to satisfy the maximum expected consumption plus fire flows, and that the system must be looped back into the existing system at locations where required to provide adequate fire flows.

As a practical matter, this means that developments must be linked to existing waterlines that are adequately sized to serve their intended area and provide the required fire flows. The specific

location, size and capacity of such waterlines and facilities must be determined by the developer's design engineer and approved by Public Works and the City Engineer.

Fire flows required for commercial developments will be determined from the OFC based on size of buildings & type of construction, subject to approval by the Fire Chief and the City. Since the new building will be sprinkled, the fire flows can be decreased somewhat at the discretion of the Fire Chief.

**CONDITION:** Prior to issuance of building permits, the developer shall submit water system drawings conforming to the requirements of the PWDS. The drawings shall show the location and size of any existing or proposed domestic and/or irrigation water meters, as well as any existing or proposed backflow assemblies. The connection point of the domestic, irrigation and fire lines (if provided) to the public system, and the location of backflow devices shall be as approved by Public Works and the City Engineer. If required by the Fire Chief or Public Works, an additional fire hydrant shall be provided on the 4th Street end of the project, at a location approved by the Fire Chief.

Prior to final construction drawing approval, written approval for any public mainline water system improvements (if provided) must be received from the Oregon Drinking Water Section.

*E. Where it has been determined that the extension of public facilities is required, all costs related to such extension shall be borne by the developer. In addition, any extension of such facilities shall be continued and extended in a logical fashion to the extent of the development site so as to be readily available for adjacent development.*

**FINDING:** The proposed development will require the utilities along the alley to be modified. The costs of this modification will be required to be borne by the applicant. The applicant has further acknowledged that the proposed development would participate in public utilities and development. If extension of public facilities is determined to be necessary as part of the detailed review of engineered site, street and utility construction drawings per PWDS requirements, the applicant shall be responsible for the cost of these extensions, unless otherwise mutually agreed by the City and applicant.

**CONDITION:** Prior to building permit issuance, the applicant shall submit and receive final approval (from Public Works) of engineered site, street and utility construction drawings per PWDS requirements, a Developer-City construction agreement has been executed, and a performance security satisfactory to the City has been submitted guaranteeing that all improvements will be completed in accordance with the approved drawings and City standards within the specified time period (PWCS 1.9). The engineered construction drawings shall be based on a topographic survey showing the location of all property lines, right-of-way lines and existing or new easements (including recording references), and shall include all required site and utility improvements, including (as applicable) street improvements/repairs, sidewalks, street lights, water, fire hydrants, sanitary sewer, storm drainage, access driveways/fire lanes and parking lot layout/dimension plans, site grading, and irrigation plans for all phases of the development as applicable.

**CONDITION:** The applicant shall be responsible for the cost of any required public facility extensions, unless otherwise mutually agreed by the City and applicant.

**CONDITION:** The applicant shall be responsible for the cost of the proposed utility modification along the alley. The applicant shall coordinate with any affected utility providers or franchise holders served by the existing utility poles.

*F. Where such improvement installed by a developer shall benefit other properties, a mutually agreeable settlement shall be arrived at between the city and the developer prior to installing the improvements. This agreement shall identify the benefiting properties, actual costs to be charged and method of repayment to the developer. Where prior agreement exists for improvements benefiting the subject property, the applicant shall make arrangements with the city for the payment of such improvements prior to issuance of any city permit.*

**FINDING:** The applicant has submitted a title report, which does not note any prior agreements affecting the property. The applicant is not proposing to install improvements that would benefit other properties.

*G. The developer shall provide proof of review and approval by all affected state and/or county agencies, such as the State Department of Transportation or county planning department.*

**FINDING:** Approvals that will be required include the following:

- Building permit(s).
- Construction permit for site/street/utility work

**CONDITION:** Prior to building permit issuance, the applicant shall submit a copy of required additional approvals.

*H. The proposed use shall not impose an undue burden on the public transportation system. For developments that are likely to generate more than 400 average daily motor vehicle trips (ADTs), the applicant shall provide adequate information, such as a traffic impact study or traffic counts, to demonstrate the level of impact to the surrounding street system. The developer shall be required to mitigate impacts attributable to the project. The determination of impact or effect and the scope of the impact study shall be coordinated with the provider of the affected transportation facility.*

**FINDING:** The applicant has submitted a traffic generation summary completed by Anderson Engineering, Inc. The report concludes that the proposed development would generate less than 400 average daily motor vehicle trips and, as such, the applicant was not required to submit a detailed traffic impact analysis.

*I. Dedication of land for streets, transit facilities, sidewalks, bikeways, paths, or accessways shall be required where the existing transportation system will be impacted by or is inadequate to handle the additional burden caused by the proposed use.*

**FINDING:** The alley entrances have been widened to allow for the ease of flow of vehicular traffic through the site.

**CONDITION:** Prior to Certificate of Occupancy or Temporary Certificate of Occupancy, the applicant shall submit a dedication or donation document on a form provided by Junction City to encompass the area to be dedicated to widen the alley.

*J. Improvements such as paving, curbing, installation or contribution to traffic signals, construction of sidewalks, bikeways, accessways, paths, or streets that serve the proposed use where the existing transportation system may be burdened by the proposed use. [Ord. [1103](#) § 1, 2002; Ord. [944](#) § 5, 1990.]*

**FINDING:** The alley entrances have been widened to allow for the ease of flow of vehicular traffic through the site.

**CONDITION:** Prior to Certificate of Occupancy or Temporary Certificate of Occupancy, the applicant shall install required access improvements in compliance with the PWDS and submit a dedication or donation document on a form provided by Junction City to encompass the area to be dedicated to widen the alley.